

§ 324.3

§ 324.3 Women, citizens of the United States at birth, who lost or are believed to have lost citizenship by marriage and whose marriage has terminated.

(a) *Eligibility.* To be eligible for naturalization under section 324(c) of the Act, an applicant must establish:

(1) That she was formerly a United States citizen by birth;

(2) That she lost or may have lost her United States citizenship:

(i) Prior to September 22, 1922, by marriage to an alien; or

(ii) On or after September 22, 1922, by marriage to an alien ineligible to citizenship before March 3, 1931;

(3) That the marriage specified in paragraph (a)(2) of this section terminated subsequent to January 12, 1941;

(4) That she did not acquire any other nationality by affirmative act other than by marriage; and

(5) That she is not proscribed from naturalization under section 313 of the Act.

(b) *Procedures*—(1) *Application.* An applicant eligible for naturalization pursuant to paragraph (a) of this section, who desires to regain citizenship pursuant to section 324(c) of the Act, shall submit, without fee, an Application for Naturalization, form N-400, to the office of the Service having jurisdiction over her place of residence as evidence of her desire to take the oath.

(2) *Oath of Allegiance.* The district director shall review the applicant's submission, and shall inform the applicant of her eligibility under section 324(c) of the Act to take the oath in conformity with part 337 of this chapter. After the applicant has taken the oath, the applicant will be furnished with a copy of the oath by the clerk of the Court or the Service, as appropriate, properly certified, for which a fee not exceeding \$5 may be charged. The oath may also be taken abroad before any diplomatic or consular officer of the United States, in accordance with such regulations as may be prescribed by the Secretary of State.

[56 FR 50490 and 50491, Oct. 7, 1991]

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§ 324.4 Women restored to United States citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940.

A woman who was restored to citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940, but who failed to take the oath of allegiance prescribed by the naturalization laws prior to December 24, 1952, may take the oath before any naturalization court or office of the Service within the United States. Such woman shall comply with the procedural requirements of § 324.4(b) and (c) except that a fee not exceeding \$1.00 may be charged if the woman requests a copy of the oath.

[22 FR 9814, Dec. 6, 1957. Redesignated and amended at 56 FR 50490 and 50491, Oct. 7, 1991]

§ 324.5 Former citizen of the United States whose naturalization by taking the oath is authorized by a private law.

A former citizen of the United States whose naturalization by taking the oath before any naturalization court or office of the Service within the United States is authorized by a private law shall submit to the Service an application on Form N-400, without fee. The application to the court shall be made on Form N-400, in triplicate, amended as set forth in this chapter. A copy of the private law shall be attached to Form N-408. The provisions of § 324.5(c) relating to fees and copies of the oath will apply to a proceeding under this section.

[23 FR 2673, Apr. 23, 1958. Redesignated and amended at 56 FR 50490 and 50491, Oct. 7, 1991]

PART 325—NATIONALS BUT NOT CITIZENS OF THE UNITED STATES; RESIDENCE WITHIN OUTLYING POSSESSIONS

Sec.

325.1 [Reserved]

325.2 Eligibility.

325.3 Residence.

325.4 Application; documents.

AUTHORITY: 8 U.S.C. 1103, 1436, 1443.

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